REMARKS

A non-final Office Action was mailed on February 25, 2004. Claims 1-13 are pending, of which Claims 1, 3, 4, 5, 6, 8, 9, 10, 11, and 13 are independent claims. All pending claims are rejected in consideration of the same reference. Specifically,

Claims 1, 2, 4, 6-7 and 9 stand rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,454,652 to Miyamoto et al. (Miyamoto); and

Claims 3, 5, 8, and 10-13 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,454,652 to Miyamoto et al. (Miyamoto).

Amendments have been made to correct improper combinations of "said" and "the" in the claims.

Claims 1, 3, 4, 5, 6, 8, 9, 10, 11, and 13 are amended to more distinctly claim the invention.

Thus, applicant respectfully requests reconsideration of these rejections in light of the amendments and following remarks.

Applicant's invention is directed toward a recording media (independent claims 1, 3, and 11), computer readable and executable programs (independent claims 4 and 5), program execution systems (independent claims 6, 8, and 13), and program execution devices (independent claims 9 and 10).

With respect to the rejection under 35 U.S.C. §102(e) of independent claims 1, 4, 6, and 9, claims 1 and 4 include a direction maintenance step and claims 6 and 9 include a direction maintenance means.

These claims require that along with a motion of any character when a switching is made between a first and a second scene on the display device, and the operation instruction is maintained, the character continues the motion in the second scene in coordination with the direction of the motion in the first scene. This is described in the application text from page 16, line 18 to page 18, line 5 and applicant's accompanying Figures 4-7.

The invention as now claimed permits a gamer, i.e. user, to continue the operation of a directional key into the second scene and progress the character along the chosen direction correctly ". . . as long as the operation in the first scene is maintained . . .". Application at page 17, line 14. Thus, this function is only limited by the gamer choosing not to continue the same operation.

For example, a gamer pushes the up key when intending his or her character to go due north (Fig. 4) in a first scene. If the gamer continues the operation of the up-key, e.g. not releasing it, then in a subsequent view (Fig. 5), where the direction may not be the same, the key selection is still valid as to prevent the character form leaving the chosen path (comparing Fig. 6 and Fig. 7) when the scene changes to a subsequent scene. If the gamer chooses to use another directional key thereby ending the operation instruction, then the character starts moving in coordination with the directions of the second view.

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Applicant believes that this may not have been clear in the independent claims presently subject to the 35 U.S.C. §102(e). Thus, now claims 1, 4, 6 and 9 now distinctly require that the direction of motion of the character in the second scene be maintained made for as long as the operation instruction is maintained.

Such a limitation is not disclosed by Miyamoto who appears to disclose a facet of a game methodology of a popular series of games starring the character "Mario." At col. 37, lines 35-42, Miyamoto by way of the tower camera mode, depicted in Fig. 23A, appears to disclose two camera views that capture Mario as he moves from a first position to a second position. Therein, Miyamoto is silent as to whether continued operation instruction after the camera change, i.e. view change, will continue the operation instruction after the scene changes.

Applicant understands the Examiner to contend that Mario's position is dynamically calculated. However, in the cited reference passages, col. 37, lines 35-42, Miyamoto appears to disclose in relation to Fig 23A and the tower camera mode only that the first and second view are "intersecting at the identified origin." Col. 37, line 42. Since all non-parallel lines that lie in the same plane must intersect, this phrase appears unclear and mystifying at best.

Having two camera views that detect the position of a character does not disclose that the current operation instruction is continued in the second view in coordination with the first view. More specifically, the two camera views do not disclose, directly or indirectly, that future positions due to the current operation instruction are calculated in the second view in coordination with the first view, as is now more clearly claimed. Thus, the Examiner is kindly requested to withdraw the rejection of claims 1, 4, 6 and 9 and their dependent claims.

With respect to the rejection under 35 U.S.C. §103(a) of independent claims 3, 5, 8, 10, 11, and 13, these claims now include the limitation that the second computation step and the image drawing step are repeated for as long as the operation instruction is maintained by the user or that the second computation means and the image drawing means are repeatedly executed for as long as the operation instruction is maintained by the user, as appropriate.

As described above, the invention as now claimed permits a gamer, i.e. user, to continue the operation of a directional key into the second scene and progress the character along the chosen direction correctly ". . . as long as the operation in the first scene is maintained . . .". Application at page 17, line 14. Thus, this function is only limited by the gamer choosing not to continue the same operation.

Before a rejection can be made under 35 U.S.C. §103, some motivation must be shown for the skilled "artisan" to make the obvious modifications to the prior art suggested. Applicant respectfully submits that Miyamoto does not teach or suggest repeating the second computation step and the image drawing step or repeatedly executing the second computation means and the image drawing means for as long as the operation instruction is maintained. Thus, the presently amended claims are not obvious in light of Miyamoto.

Miyamoto does not suggest or teach such a limitation. Applicant understands Examiner to contend that is obvious that the position coordinates of Mario are determined from a motion vector. Paragraphs 10 and 11 of the Office Action. Accepting this as being so, which applicant respectfully does not, does not teach or suggest that continuing the operation instruction after the scene changes until the operation instruction is ended by the user. It would appear, accepting *in*

arguendo, at most that the character is visible in the second view at a position in coordination of the first view. Continuing the movement with, for example, a joystick will continue Mario in coordination with the first movement is, respectfully, solely supposition. Unfortunately, that is what applicant believes the Examiner to suggest. Paragraphs 10 and 11 of the Office Action.

Applicant notes that video games traditionally test the dexterity and eye-hand coordination of gamers. Going off-course, dropping down steep ravines, stepping into the line of fire of the enemy are all likely results when gamers misjudge the character motion control. Much of this occurs when action is quick and views change even quicker. There appears to be no guarantee in video games that initiating a first action keeps you on course as the vies change. Thus, a more plausible explanation is that the character's motion in coordination with the first view may be limited to number frames, number of increments within the game, or time, but not the duration of the operation instruction.

Miyamoto discloses an overview of the controller and motion controls in Figs. 6 and 7, and discloses that the controls use an X and a Y controller. Col. 22, lines 23-54. Thus, one plausible explanation for ceasing Mario's motion which is in coordination with the first view, if, respectfully, that is indeed occurring, in the second view is a limit associated with one or more of the counters.

Given the multitude of plausible scenarios, each of which the applicant believes are not clearly taught or suggested by Miyamoto, the Examiner is kindly requested to withdraw the rejection under 35 U.S.C. §103(a) of independent claims 3, 5, 8, 10, 11, and 13 if at least for the reason these claims now include the limitation that the second computation step and the image drawing

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step are repeated for as long as the operation instruction is maintained by the user or that the

second computation means and the image drawing means are repeatedly executed for as long as the

operation instruction is maintained by the user, as appropriate.

All dependent claims are allowable for substantially the same reasons as those given for the

independent claims from which they depend.

In view of the above amendments and remarks, allowance of all pending claims is earnestly

solicited.

However, if for any reason the Examiner should consider this application not to be in condition

for allowance, he is respectfully requested to telephone the undersigned attorney at the number

listed below prior to issuing a further Action.

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Applicant filed a first IDS on April 25, 2002 and a second IDS on December 30, 2002, copies of Form 1449 are enclosed for reference, which appear unacknowledged. The Examiner is respectfully requested to acknowledge the IDS statements. In the event, applicant is in error of having filed same, applicant stands ready to re-file upon notice.

Any fee due with this paper may be charged on Deposit Account 50-1290.

Respectfully submitted,

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